

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5890 of 2013

In
Civil Writ Jurisdiction Case No. 5833 of 2006

=====

Jamuna Prasad S/O Late Bhikhar Sao, resident of Village- Rafiganj Chowk
Bazar, P.O+ P.S- Rafiganj, District- Aurangabad.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Sri Abhya Kumar Singh, the District Magistrate, Aurangabad.
3. Sri Laxmi Narayan Das, the Chief Engineer-1, Public Works Department,
South Region, Bihar, Patna.
4. Sri R.P. Rajan, the Executive Engineer, Public Works Department, Road
Region No. 1, Aurangabad.
5. Sri Ram Autar Azad, the Works Commissioner, Public Works
Department, Bihar, Patna.
6. Sri Jagendra Kumar Mishra, the District Land Acquisition Officer,
Aurangabad.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Utsav Kumar, Advocate.

For the opposite party/s: Mr. Lalit Kishore , PAAG

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

4 01-05-2015

Heard learned counsel for the parties.

2. The opposite parties, having filed a show cause
reply, have explained that payment to the tune of Rs. 35,78,606/-
has been made to the petitioner. This Court now, therefore, would
not be required to proceed further because in the order passed in
the connected writ application, this Court had never quantified any
specific amount whose non-payment can be made the subject
matter of considering contempt.

3. Nonetheless, now, when this Court has found that

award for payment of compensation to the petitioner in terms of Section 11 of the Land Acquisition Act has already been made, it will be always open for the petitioner to raise any dispute in terms of Section 18 of the Land Acquisition Act by way of seeking reference before the Collector of the District.

4. Let it be noted that learned counsel for the State has however, himself accepted the position that deduction of Rs. 10,000/-, which was awarded to the petitioner by way of cost, should not have been made while making payment of Rs. 35,78,606/- and assures this Court that the aforesaid amount of Rs. 10,000/- shall be paid to the petitioner within a period of one month from today.

5. Recording the aforementioned assurance and undertaking given by the learned counsel for the State, this contempt application is disposed of.

(Mihir Kumar Jha, J)

Sujit/-

U			
---	--	--	--